

REMARKS

This Paper, Request for Continued Examination, and Petition for a three-month extension of time, are submitted in response to the Advisory Action mailed February 9, 2009 and in further response to the final Office Action mailed October 16, 2008 having a shortened statutory response period that ended on January 16, 2009. This Paper is filed within three months of shortened statutory response period, namely April 16, 2009. The Commissioner is hereby authorized to charge the RCE fee of \$810, the three-month extension fee of \$1,110.00, and any additional fees to Deposit Account No. 04-1512, with reference to Attorney Docket No. DOW-31668-A-US.

The Applicants note that the Response After Final submitted on January 16, 2009 has been entered as the cover sheet to the Advisory Action (dated February 9, 2009) has no indication to the contrary. Thus, the Abstract submitted in Applicants' Response After Final is in the record.

Claims 1, 3-4, 6-16, 20-22, 25-29 are pending. Claims 2, 5, 17-19, 23-24, and 30-48 have been canceled.

Claims 1, 3-16, 20-22 and 25-29 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by US Patent Application Publication No. 2001/0046606 to Tau et al. (*Tau*). Claims 1, 8-16, 20-22, and 25-29 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by European Patent Application No. 388,177 to Nelson (*Nelson*). Claims 1, 3-16, 20-22, and 25-29 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by International Publication No. WO01/10643 to Banaszak (*Banaszak*). Applicants respectfully traverse and disagree with these alleged rejections for the reasons set forth below.

No combination of *Tau*, *Nelson*, and/or *Banaszak* discloses or suggests a hot blown multi-layer film with a core layer, optional intermediate layers, and skin layers as recited in the present claims. *Tau* discloses a multi-layer polymeric film having a core layer and skin layers. *Tau*'s core layer requires a coupled propylene polymer. *Tau*, ¶¶ 9, 24, 34-50. The inner layer(s) (including the core layer) of the claimed film contain(s) no coupled propylene polymer. Consequently, *Tau* fails to disclose or suggest the subject matter of the present claims.

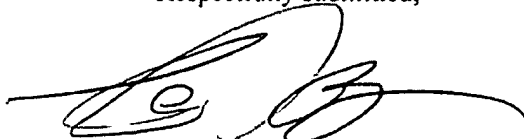
Nelson discloses a multi-layer polymeric film. *Nelson*'s core layer requires ethylene vinyl acetate (EVA). *Nelson*, col. 7 lines 43-49, col. 10 line 43 through col. 11 line 46. The inner layer(s) (including

the core layer) of the claimed film contain(s) no EVA. Thus, *Nelson* fails to disclose or suggest the claimed subject matter.

Banaszak discloses a solid-state oriented multi-layer polymeric film (*i.e.*, a double bubble film) and requires an interpenetrating network (IPN) resin to be present in at least one of the layers. The skilled artisan would recognize that the claimed hot blown film is a single bubble film and is structurally different than *Banaszak*'s solid-state oriented film. Moreover, *Banaszak*'s IPN resin, *by definition*, is not a single polymeric component, or a blend of polymeric components. *Banaszak*'s IPN resin is defined as a multicomponent resin that is not a polymeric blend. See *Banaszak*, p. 5 line 24 through p. 6 line 15, *see in particular* "[i]nterpenetrating networks, *unlike blends*, become new compositions exhibiting properties distinct from parent constituents." (emphasis added). Each layer of the claimed film, on the other hand, is composed of a single component or a blend. Consequently, no layer of the claimed film contains *Banaszak*'s IPN resin. Since the *Banaszak* film requires an IPN resin, *Banaszak* fails to disclose or suggest the claimed film which contains no IPN resin.

The Examiner is respectfully requested to reconsider the application in view of this Response, to withdraw the rejections, and to forward the application to issuance.

Respectfully submitted,



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